

## CHAPTER XIII

### LIBRARY BOARD

SECTION 13.00. (Library board established). The common council may establish and maintain within the city public libraries and reading rooms. There shall be a library board consisting of nine directors to be appointed by the mayor with the approval of the common council on or before the second Wednesday of January in each year. The mayor may appoint one or more directors who are not residents of the city but who reside in Olmsted County. A director shall hold office for a term of three years from the second Wednesday in January in the year of appointment, or until a successor is appointed. A director is subject to removal for cause by the mayor with the consent of the common council. (Amended by Ord.# 4070 on 6/4/12)

SECTION 13.01. (Oath). Each person so appointed a director of the library board shall file a written oath and acceptance with the city clerk before entering upon the discharge of the duties of his office.

SECTION 13.02. (Vacancy). A vacancy in the board of directors of the library board occasioned by removal, resignation or otherwise, shall be reported to the mayor and common council, and the unexpired term shall be filled in like manner as an original appointment.

SECTION 13.03. (Powers of board). Subdivision 1. Said directors shall, immediately after the annual appointment, meet and organize, by the election of one of their number, president, and another of their number secretary, and by the election of such other officers as they may deem necessary. They shall take charge of, and have full possession and control of the present library building and the premises on which it is located, also the library and free reading rooms in said city as now established. They shall make and adopt such by-laws, rules and regulations for their own guidance, and for the government of the library and reading rooms, or either of them as may be expedient and not inconsistent with this charter. They shall have the exclusive control of the expenditure of all moneys collected and placed to the credit of the library fund, or of the construction or repair of any library building, and of the supervision, care and custody of the grounds, rooms or buildings constructed, leased, or set apart for that purpose; provided that all moneys received for such library shall be deposited in the treasury of the city to the credit of the library fund, and it shall be kept separate and apart from other money of the city, and shall be paid out only upon the properly authenticated vouchers of the library board. (Amended by Ord. No. 2799, effective July 10, 1992; Amended by Ord.# 4070 on 6/4/12)

Subd. 2. Said board shall have power to lease and provide appropriate rooms for the use of said library. The board may appoint, employ and remove a library director subject to any employment procedures established by this charter or the common council. The board shall conduct the director's annual performance evaluation and establish the director's compensation consistent with the council-approved compensation parameters. The board may delegate the performance review and compensation setting authority to the city administrator if it deems that appropriate. The director shall employ and remove such other employees as are authorized by the common council to perform the functions of the department. These other employees are

subject to all employment policies and procedures established by the charter or the common council. It shall in general carry out the spirit and intent of the provisions of this charter relating to such library board. (Amended by Ord. No. 4076 on July 17, 2012)

Subd. 3. Said board, with the consent of the common council, expressed by resolution or ordinance, may accept any conveyance, gift, grant, donation, devise, or bequest for library purposes, or for the establishment, maintenance or enlargement of an art gallery, or museum in connection with such library, which may be given, granted, conveyed, donated, devised, or bequeathed by any person, company, or corporation to said city for Library purposes, and may enter into any agreement with any such person, company or corporation or with his or their legal representatives, affecting such gift, grant, donation bequest or devise as may be proposed or imposed concerning the same, subject, however, to the limitations herein contained, and any such agreement shall have the full and binding effect of a contract between such person, company or corporation and the city.

SECTION 13.04. (Property acquired). Said board shall have the power, when approved by the common council, to purchase ground and erect thereon other suitable buildings for the use of said library. Any and all property given, granted, conveyed, donated, devised or bequeathed to, and any and all property purchased or acquired by the City of Rochester, for the purpose of a library or reading rooms, shall vest in and be held in the name of the City of Rochester, and any conveyance, grant, donation, devise, bequest or gift made to the library board, shall be deemed and considered as having been made directly to the City of Rochester for libraries and reading rooms. (Amended by Ord. No. 4076 on July 17, 2012)

SECTION 13.05. (Report required). Said board of directors shall provide an annual report to the common council, stating the amount received during the preceding calendar year from taxes and all other sources, the amount expended and for what purposes, the number of items on hand, the number purchased, the number loaned, and such other information as it may deem of interest. (Amended by Ord. # 4070 on 6/4/12)

SECTION 13.06. (Library facilities free). The library and reading rooms established under the provisions of this charter shall be free forever to the use of the inhabitants of the City of Rochester, subject to such reasonable rules and regulations as the library board may adopt.